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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 09/741,734
Filing Date: December 19, 2000
Appellant(s): TILIKS ET AL.

Scott W. Brim
(Reg. No. 51,500)
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 07/11/2008 appealing from the Office action mailed 07/17/2007.

1. *Real Party in Interest*

A statement identifying by name the real party in interest is contained in the brief.

2. *Related Appeals and Interferences*

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have bearing on the Board's decision in the pending appeal.

3. *Status of Claims*

The statement of the status of claims contained in the brief is correct.

4. *Status of Amendments*

The appellant's statement of the status of amendments contained in the brief is correct.

5. *Summary of Claimed Subject Matter*

The summary of claimed subject matter contained in the brief is correct.

6. *Grounds of Rejection to be Reviewed on Appeal*

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

7. *Claims Appendix*

The copy of the appealed claims contained in IX. Claims Appendix of the brief is correct.

8. *Evidence Relied Upon*

5963864	O'Neil et al.	05-1996
6970719	McConnell et al.	06-2000

9. *Grounds of Rejection*

No new grounds of rejection have been introduced.

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over O'Neil et al. (US 5,963,864) in view of McConnell et al. (US 6,970,719 B1).

Regarding claim 1 O'Neil teaches a method for dual ringing of a wireline and a wireless extension of the wireline using an advanced intelligent telecommunication network with a service switching point and a service node (see col. 20, lines 48-55). O'Neil teaches receiving

and routing a call from a service switching point to a service node coupled with the service switching point (see col. 20, lines 15-20). O'Neil teaches a service node, initiating a first call to a wireless communication device associated with a wireline and a second call to a wireline (see col. 21, lines 26-34, wireless communication device associated with wireline relates to a wireless extension of the wireline). O'Neil does not specifically teach the wireline being a Centrex line and the wireless extension of the Centrex line providing extension dialing when the wireless extension of the Centrex line is within a limited service area defined for a Centrex customer premises area. McConnell teaches a private wireless telephone system that is provided as an adjunct to a company's existing PBX, or Centrex system, which allows standard wireless telephones phones to act as wireless extensions of existing wireline phones (see col. 4, lines 21-38 and col. 9, lines 63-67). McConnell teaches the wireless extensions of the Centrex line providing extension dialing when the wireless extension of the Centrex line is within a limited service area defined for a Centrex customer premises area (see col. 9, lines 58-63 and col. 23, lines 18-22 & 29-36, wireless telephone 64 is a wireless extension of the Centrex line because the wireless telephone operates in the limited service area of the private network, which is provided as an adjunct to the company's existing PBX or Centrex system (see col. 4, lines 21-38). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the device in O'Neil adapt to include the wireline being a Centrex line and the wireless extension of the Centrex line providing extension dialing when the wireless extension of the Centrex line is within a limited service area defined for a Centrex customer premises area because the Centrex line and extension dialing in McConnell improves O'Neil's system for

providing a wireless telecommunication extension service in a telecommunications network that includes a wireline and wireless network (see col. 1, lines 12-16).

Regarding claim 2 O'Neil teaches in response to either a first or second call being answered, dropping the other call (see col. 4, lines 28-39).

Regarding claim 3 O'Neil teaches if neither the first nor second call is answered within a time period, routing the call to a voicemail system associated with the line (see col. 29, lines 31-40).

Regarding claim 4 O'Neil teaches determining whether the wireless communication device is available, and wherein initiating a call is performed only if the wireless communication device is available (see col. 33, lines 57-67 and col. 34, lines 1-6, 23-28 & 35-42).

Regarding claim 5 O'Neil teaches a method for dual ringing of a wireline and a wireless extension of the wireline using an advanced intelligent telecommunication network with a service switching point and a service node (see col. 20, lines 48-55). O'Neil teaches receiving and routing a call from a service switching point to a service node coupled with the service switching point (see col. 20, lines 15-20). O'Neil teaches suspending processing of a call and launching a query to a service control point coupled to the SSP (see col. 6, lines 7-15). O'Neil teaches determining whether a wireless extension of the wireline is available (see col. 14, lines 55-58). O'Neil teaches launching a routing message instructing the service switching point to route a call to a service node coupled with the service switching point (see col. 6, lines 20-28). O'Neil teaches a service node, initiating a first call to a wireless communication device associated with a wireline and a second call to a wireline (see col. 21, lines 26-34, wireless communication device associated with wireline relates to a wireless extension of the wireline).

O'Neil does not specifically teach the wireline being a Centrex line and the wireless extension of the Centrex line providing extension dialing when the wireless extension of the Centrex line is within a limited service area defined for a Centrex customer premises area. McConnell teaches a private wireless telephone system that is provided as an adjunct to a company's existing PBX, or Centrex system, which allows standard wireless telephones to act as wireless extensions of existing wireline phones (see col. 4, lines 21-38 and col. 9, lines 63-67). McConnell teaches the wireless extensions of the Centrex line providing extension dialing when the wireless extension of the Centrex line is within a limited service area defined for a Centrex customer premises area (see col. 9, lines 58-63 and col. 23, lines 18-22 & 29-36, wireless telephone 64 is a wireless extension of the Centrex line because the wireless telephone operates in the limited service area of the private network, which is provided as an adjunct to the company's existing PBX or Centrex system (see col. 4, lines 21-38). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the device in O'Neil adapt to include the wireline being a Centrex line and the wireless extension of the Centrex line providing extension dialing when the wireless extension of the Centrex line is within a limited service area defined for a Centrex customer premises area because the Centrex line and extension dialing in McConnell improves O'Neil's system for providing a wireless telecommunication extension service in a telecommunications network that includes a wireline and wireless network (see col. 1, lines 12-16).

Regarding claim 6 O'Neil teaches a device as recited in claim 2 and is rejected given the same reasoning as above.

Regarding claim 7 O'Neil teaches a device as recited in claim 3 and is rejected given the same reasoning as above.

Regarding claim 8 O'Neil and McConnell teach a device as recited in claim 5 except for if the wireless communication device associated with the Centrex line is not available: launching a transmit message from the SCP to the SSP instructing the SSP to transmit the call to the Centrex line; and transmitting the call from the SSP to the Centrex line. O'Neil does teach if a wireless communication device associated with a wireline is not available launching a transmit message (see col. 34, lines 37-42). McConnell teaches facilitating switching control private wireless telephone system that is provided as an adjunct to a company's existing PBX, or Centrex system (see col. 23, lines 29-36 & 44-51 and FIG. 13). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the device adapt to include if the wireless communication device associated with the Centrex line is not available: launching a transmit message from the SCP to the SSP instructing the SSP to transmit the call to the Centrex line; and transmitting the call from the SSP to the Centrex line because this would allow for an improved system for providing a wireless telecommunication extension service in a telecommunications network that includes a wireline and wireless network.

Regarding claim 9 O'Neil teaches a destination number assigned to a subscriber line (see col. 7-14).

Regarding claim 10 O'Neil teaches detecting a terminating attempt trigger (see col. 4, lines 31-39).

Regarding claim 11 O'Neil teaches determining whether a dual ringing service is enabled (see col. 20, lines 15-19 & 49-52).

Regarding claim 12 O'Neil teaches a wireless communication device that is part of a wireless network (see col. 13, lines 30-38). O'Neil teaches sending a request for availability information of a wireless communication device from the service control point to the wireless network (see col. 6, lines 15-22).

Regarding claim 13 O'Neil teaches sending a request for availability information of the wireless communication device from the service control point to a home location register in a wireless network and send availability information from the HLR to the service control point (see col. 6, lines 15-28).

Regarding claim 14 O'Neil teaches simultaneously initiating the first and second calls (see col. 20, lines 50-53).

Regarding claim 15 O'Neil teaches a method for dual ringing of a wireline and a wireless extension of the wireline using an advanced intelligent telecommunication network with a service switching point and a service node (see col. 20, lines 48-55). O'Neil teaches receiving and routing a call from the service switching point to a service node coupled with the service switching point (see col. 20, lines 15-20). O'Neil teaches a service node, initiating a first call to a wireless communication device associated with a wireline and a second call to a wireline (see col. 21, lines 26-34, wireless communication device associated with wireline relates to a wireless extension of the wireline). O'Neil teaches suspending processing of a call and launching a query to a service control point coupled to the SSP (see col. 6, lines 7-15). O'Neil teaches the SCP operative to receive a query and determine whether a wireless communication device is available (see col. 6, lines 13-28 and col. 14, lines 55-58). O'Neil does not specifically teach the wireline being a Centrex line and the wireless extension of the Centrex line providing extension dialing

when the wireless extension of the Centrex line is within a limited service area defined for a Centrex customer premises area. McConnell teaches a private wireless telephone system that is provided as an adjunct to a company's existing PBX, or Centrex system, which allows standard wireless telephones to act as wireless extensions of existing wireline phones (see col. 4, lines 21-38 and col. 9, lines 63-67). McConnell teaches the wireless extensions of the Centrex line providing extension dialing when the wireless extension of the Centrex line is within a limited service area defined for a Centrex customer premises area (see col. 9, lines 58-63 and col. 23, lines 18-22 & 29-36, wireless telephone 64 is a wireless extension of the Centrex line because the wireless telephone operates in the limited service area of the private network, which is provided as an adjunct to the company's existing PBX or Centrex system (see col. 4, lines 21-38). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the device in O'Neil adapt to include the wireline being a Centrex line and the wireless extension of the Centrex line providing extension dialing when the wireless extension of the Centrex line is within a limited service area defined for a Centrex customer premises area because the Centrex line and extension dialing in McConnell improves O'Neil's system for providing a wireless telecommunication extension service in a telecommunications network that includes a wireline and wireless network (see col. 1, lines 12-16).

Regarding claim 16 O'Neil teaches a device as recited in claim 2 and is rejected given the same reasoning as above.

Regarding claim 17 O'Neil teaches a home location register (HLR) coupled with the SCP, wherein the SCP is further operative to determine whether the wireless communication

device is available by sending a request for availability information of the wireless communication device to the HLR (see col. 6, lines 7-28).

Regarding claim 18 O'Neil teaches a method for dual ringing of a wireline and a wireless extension of the wireline using an advanced intelligent telecommunication network with a service switching point and a service node (see col. 20, lines 48-55). O'Neil teaches receiving and routing a call from the service switching point to a service node coupled with the service switching point (see col. 20, lines 15-20). O'Neil teaches a service node, initiating a call to a wireline with a network element separate from the switch (see col. 21, lines 26-34). O'Neil teaches initiating a call to a wireless communication device with a network element separate from the switch (see col. 5, lines 1-15 and col. 21, lines 26-34). O'Neil does not specifically teach the wireline being a Centrex line and the wireless extension of the Centrex line providing extension dialing when the wireless extension of the Centrex line is within a limited service area defined for a Centrex customer premises area. McConnell teaches a private wireless telephone system that is provided as an adjunct to a company's existing PBX, or Centrex system, which allows standard wireless telephones to act as wireless extensions of existing wireline phones (see col. 4, lines 21-38 and col. 9, lines 63-67). McConnell teaches the wireless extensions of the Centrex line providing extension dialing when the wireless extension of the Centrex line is within a limited service area defined for a Centrex customer premises area (see col. 9, lines 58-63 and col. 23, lines 18-22 & 29-36, wireless telephone 64 is a wireless extension of the Centrex line because the wireless telephone operates in the limited service area of the private network, which is provided as an adjunct to the company's existing PBX or Centrex system (see col. 4, lines 21-38). It would have been obvious to one of ordinary skill in the art at

the time the invention was made to make the device in O'Neil adapt to include the wireline being a Centrex line and the wireless extension of the Centrex line providing extension dialing when the wireless extension of the Centrex line is within a limited service area defined for a Centrex customer premises area because the Centrex line and extension dialing in McConnell improves O'Neil's system for providing a wireless telecommunication extension service in a telecommunications network that includes a wireline and wireless network (see col. 1, lines 12-16).

Regarding claim 19 O'Neil teaches a device as recited in claim 4 and is rejected given the same reasoning as above.

Regarding claim 20 O'Neil teaches a device as recited in claim 14 and is rejected given the same reasoning as above.

Regarding claim 21 O'Neil teaches a network element that is a service node (see col. 12, lines 48-50).

Regarding claim 22 O'Neil teaches a device as recited in claim 2 and is rejected given the same reasoning as above.

10. *Response to Arguments*

Claims 1 and 5 are unpatentable under 35 U.S.C. 103(a) as being obvious over O'Neil et al. (US 5,963,864) in view of McConnell et al. (US 6,970,719 B1).

Regarding claims 1 and 5 appellant alleges that neither O'Neil nor McConnell discloses or suggests, a service node initiating a first call to a wireless extension of a Centrex line and a second call to the Centrex line. The examiner disagrees with this allegation. The combination of

O'Neil and McConnell clearly teaches a service node initiating a first call to a wireless extension of a Centrex line and a second call to the Centrex line as claimed.

Applicant attempts to substantiate the above allegation by arguing that *first*, O'Neil fails to teach initiating a call to a wireline number and initiating another call to a wireless extension of the wireline number; and *second*, McConnell does not teach dual ringing such that when a telephone call is placed to a Centrex line, a service node initiates a first call to a wireless extension of the Centrex line and a second call to the Centrex line.

In response to the *first* argument applicant has improperly argued limitations not recited in the claims and attacked the references individually. Claims 1 and 5 **do not recite initiating a call to a wireline number and initiating another call to a wireless extension of the wireline number**. Claims 1 and 5 do recite the service node, initiating a first call to a wireless extension of the Centrex line and a second call to the Centrex line. As explained in the Final Action and the rejection above, claims 1 and 5 are rejected under 35 U.S.C. 103(a) based on the combination of O'Neil and McConnell. One cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). O'Neil teaches a service node, initiating a first call to a wireless communication device associated with a wireline and a second call to a wireline (see col. 21, lines 26-34). The wireless communication device is associated with the wireline as a wireless telecommunication extension service (see O'Neil, col. 20, lines 50-51). This reads on the claimed wireless extension. McConnell is being combined with O'Neil to teach that the wireline in O'Neil can be a Centrex line with a wireless extension. McConnell teaches a private wireless

telephone system that is provided as an adjunct to a company's existing PBX, or Centrex system, which allows standard wireless telephones to act as wireless extensions of existing wireline phones (see col. 4, lines 21-28). It is obvious that the wireline in O'Neil can be a Centrex line because the Centrex system in McConnell is comprised of wirelines (see McConnell, col. 4, lines 26-29).

Therefore, the combination of O'Neil and McConnell teach a device as claimed in claims 1 and 5.

In response to the *second* argument applicant's argument again improperly argued limitations not recited in the claims and attacked the references individually. Claims 1 and 5 **do not recite dual ringing such that when a telephone call is placed to a Centrex line, a service node initiates a first call to a wireless extension of the Centrex line and a second call to the Centrex line**. Claims 1 and 5 do recite a "method for dual ringing of a Centrex line and a wireless extension of the Centrex line" and "with the service node, initiating a first call to a wireless extension of the Centrex line and a second call to the Centrex line". As explained in the Final Action and the rejection above, claims 1 and 5 are rejected under 35 U.S.C. 103(a) based on the combination of O'Neil and McConnell. One cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). O'Neil teaches for dual ringing of a wireline and a wireless extension of the wireline (see col. 20 lines 48-55). O'Neil teaches a service node, initiating a first call to a wireless communication device associated with a wireline and a second call to a wireline (see col. 21, lines 26-34). The wireless communication device is associated with the

wireline as a wireless telecommunication extension service (see O'Neil, col. 20, lines 50-51). This reads on the claimed wireless extension. McConnell is being combined with O'Neil to teach that the wireline in O'Neil can be a Centrex line with a wireless extension. McConnell teaches a private wireless telephone system that is provided as an adjunct to a company's existing PBX, or Centrex system, which allows standard wireless telephones to act as wireless extensions of existing wireline phones (see col. 4, lines 21-28). It is obvious that the wireline in O'Neil can be a Centrex line because the Centrex system in McConnell is comprised of wirelines (see McConnell, col. 4, lines 26-29).

Therefore, the combination of O'Neil and McConnell teach a device as claimed in claims 1 and 5.

Appellant has offered no arguments regarding the patentability of dependent claims 2-4 and 6-14 other than that they depend on patentable independent claims. However, because independent claims 1 and 5 have been shown above to be unpatentable over O'Neil and McConnell, dependent claims 2-4 and 6-14 are unpatentable as well as they depend from unpatentable independent claims.

Thus, the combination of Boltz and Littleton properly render claims 1-14 obvious.

Claim 15 is unpatentable under 35 U.S.C. 103(a) as being obvious over O'Neil et al. (US 5,963,864) in view of McConnell et al. (US 6,970,719 B1).

Regarding claim 15 appellant alleges that neither O'Neil nor McConnell discloses or suggests, a service node initiating a first call to a wireless extension of a Centrex line and a second call to the Centrex line for the same reasons applicant discussed above regarding claims

1-5. However, the combination of O'Neil and McConnell does teach a service node initiating a first call to a wireless extension of a Centrex line and a second call to the Centrex line for the same reasons discussed above regarding the obviousness rejection of independent claims 1 and 5.

Thus, the combination of Boltz and Littleton properly render claims 15 obvious.

Appellant has offered no arguments regarding the patentability of dependent claims 16-17 other than that they depend on a patentable independent claim. However, because independent claim 15 has been shown above to be unpatentable over O'Neil and McConnell, dependent claims 16-17 are unpatentable as well as they depend from an unpatentable independent claim.

Thus, the combination of Boltz and Littleton properly render claims 15-17 obvious.

Claim 18 is unpatentable under 35 U.S.C. 103(a) as being obvious over O'Neil et al. (US 5,963,864) in view of McConnell et al. (US 6,970,719 B1).

Regarding claim 18 appellant alleges that neither O'Neil nor McConnell discloses or suggests, initiating a call to the Centrex line and a call to the wireless extension of the Centrex line for the same reasons applicant discussed above regarding claims 1-5. However, the combination of O'Neil and McConnell does teach initiating a call to the Centrex line and a call to the wireless extension of the Centrex line for the same reasons discussed above regarding the obviousness rejection of independent claims 1 and 5.

Thus, the combination of Boltz and Littleton properly render claims 18 obvious.

Appellant has offered no arguments regarding the patentability of dependent claims 19-22 other than that they depend on a patentable independent claim. However, because

independent claim 18 has been shown above to be unpatentable over O'Neil and McConnell, dependent claims 19-22 are unpatentable as well as they depend from an unpatentable independent claim.

Thus, the combination of Boltz and Littleton properly render claims 18-22 obvious.

11. *Evidence of Appendix*

An evidence appendix is not included in the brief.

12. *Related Proceedings Appendix*

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the reasons above, it is believed that the rejections pertaining to all of the appealed claims should be sustained.

Respectfully submitted,

/Brandon J Miller/

Examiner, Art Unit 2617

Conferees:

/George Eng/
Supervisory Patent Examiner, Art Unit 2617

/Duc Nguyen/
Supervisory Patent Examiner, Art Unit 2618